



**COURT OF APPEALS FOR THE  
FIRST DISTRICT OF TEXAS AT HOUSTON**

**ORDER**

Appellate case name: Ex parte Joseph Gomez

Appellate case number: 01-20-00004-CR & 01-20-00005-CR

Trial court case number: 1657519 & 1657521

Trial court: 338th District Court of Harris County

Joseph Gomez has filed a motion to maintain the status quo and permit him to remain free on bond pending review by the Court of Criminal Appeals.

The State has filed a petition for discretionary review in the Court of Criminal Appeals.

We dismiss this motion for lack of jurisdiction. *See Vidales v. State*, 471 S.W.3d 457, 458 (Tex. Crim. App. 2015) (holding that court of appeals does not retain plenary jurisdiction after a petition for review is filed in the Court of Criminal Appeals); *see also* TEX. R. APP. P. 19.2 (providing that plenary power of court of appeals continues after the filing of a petition for review in the Supreme Court but not extending the rule to the Court of Criminal Appeals).

It is so ORDERED.

Judge's signature: /s/ Peter Kelly

☐ Acting individually ☒ Acting for the Court

Panel consists of Justices Keyes, Kelly, and Landau.

Date: September 3, 2020